

**U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN**

Honorable Rachel M. Blise

March 2, 2023

Court Proceeding Memo and Order

1-22-11558-rmb **Jennifer McKinney and Israel R. McKinney** Chapter 13
Trustee: Mark Harrington

Appearances: Greg P. Pittman, Attorney for Debtors
Theresa M. Anzivino, Attorney for IRS
Leslie Brodhead Griffith, Attorney for Chapter 13 Trustee

Matter: Preliminary Hearing on Confirmation of Chapter 13 Plan (Doc # 37)
-Obj Trustee (Doc # 69) -Obj IRS (Doc # 72)

Court Minutes: Counsel for the debtors conceded that the plan on file is not confirmable. Counsel also reported that he intends to file an amended plan after debtors' investment accounts are levied by the IRS and applied to the IRS's claim. Counsel for the IRS reported that levy is in process but will take several weeks. Counsel for the trustee requested the debtors file an amended budget to reflect changes to their expenses resulting from their divorce. The Court sustained the objections. The debtor must file an amended plan and an amended budget on or before April 13, 2023.

OUTCOME:

☐ Granted ☐ Denied ☐ Approved ☐ Allowed ☐ Disallowed
☐ In Part ☒ Sustained ☐ Overruled ☐ Settled ☐ Withdrawn
☐ Other:

☒ Debtor shall do the following by: April 13, 2023 or the case will be dismissed
☒ amend plan ☐ provide info to TR ☐ bring current ☒ other: amend budget
☐ Plan confirmed: ☐ Ch. 13 TR ☐ Ch. 12 Atty. ☐ Ch. 11 Atty to submit proposed order

SCHEDULE:

☐ Adjourned to: _____ at _____
Location: ☐ Telephone ☐ Madison ☐ Eau Claire ☐ Other: _____
☐ Final/Evidentiary Hearing. Parties agree that _____ [hours/days] will be sufficient to hear the matter.
☐ Issue standard pre-hearing order ☐ [Yes/No] ☐ Other: _____

☐ Briefing Schedule Set:
☐ Taken under advisement ☐ Other:

☐ Other Schedule:

☒ **ORDER:**

☒ For the reasons stated from the bench
☐ Separate order to be entered by the Court
☐ Order to be submitted by: _____
☐ Order to be signed at docket no. _____

IT IS SO ORDERED:

Rachel Blise

Rachel M. Blise

U.S. Bankruptcy Judge

☒ ECF
☐ cc: parties in interest
☐ cc: parties appearing